

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DESIREE L. HOUSE,)	
)	No. CV-11-327-JPH
Plaintiff,)	
)	ORDER GRANTING STIPULATED
v.)	MOTION FOR REMAND
)	
MICHAEL J. ASTRUE,)	(ECF No. 11)
Commissioner of Social)	
Security,)	
)	
Defendant.)	

BEFORE THE COURT is the parties' stipulated motion to remand this case to the Commissioner for further administrative proceedings, **ECF No. 11**. Maureen J. Rosette represents plaintiff. Special Assistant United States Attorney Richard M. Rodriguez represents defendant. The parties have consented to proceed before a magistrate judge (ECF No. 8).

After considering the stipulated motion (ECF No. 11), **IT IS ORDERED** that the motion is GRANTED. The case is REVERSED and REMANDED pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings, including:

1. The ALJ will conduct a new hearing.

2. The ALJ will further evaluate Plaintiff's mental impairments by obtaining a consultative evaluation, and if necessary, medical expert testimony with a specialty in either psychology or psychiatry.

3. The ALJ will evaluate Dr. Pollack's opinion, including

1 giving specific and legitimate reasons if elects to reject it.

2 4. The ALJ will evaluate the effects of Plaintiff's obesity
3 pursuant to SSR 02-10.

4 5. The ALJ will explain at step three why Plaintiff's
5 impairments do not meet or equal any of the listed impairments.

6 6. In light of the expanded record, the ALJ will re-evaluate
7 Plaintiff's credibility and RFC.

8 7. If necessary the ALJ will consult a vocational expert to
9 clarify the effect of the assessed limitations on Plaintiff's
10 occupational base and determine whether Plaintiff can adjust to
11 other work that exists in significant numbers in the national
12 economy as the ALJ's findings would preclude Plaintiff from
13 performing any past relevant work.

14 8. Plaintiff may present new arguments and evidence.

15 The ALJ may perform further development and conduct further
16 proceedings as necessary.

17 Because this remand is pursuant to sentence four with a
18 remand to the Commissioner for further proceedings (*see Melkonyan*
19 *v. Sullivan*, 501 U.S. 89 (1991)), plaintiff is entitled to
20 reasonable attorney's fees and costs pursuant to 28 U.S.C. § 2412
21 (a), (d), upon proper request to this Court.

22 **IT IS FURTHER ORDERED:**

23 1. The parties' stipulated motion for an order of remand
24 pursuant to sentence four (ECF No. 11) is **GRANTED**.

25 2. Judgment shall be entered for **PLAINTIFF**.

26 3. An application for attorney fees and costs may be filed by
27 separate motion.

DATED this 29th day of November, 2011.

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